



**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**NOEL GARZA**

§  
§  
§  
§  
§

**CASE NO. 1:07-CR-184(7)**


**MEMORANDUM ORDER  
ADOPTING FINDINGS OF FACT AND RECOMMENDATION  
ON DEFENDANT’S GUILTY PLEA**

The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for administration of a guilty plea under Rules 11 and 32 of the Federal Rules of Criminal Procedure. Judge Giblin conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued his *Findings of Fact and Recommendation on Guilty Plea Before the United States Magistrate Judge* [Clerk’s doc. #588]. The Magistrate Judge recommended that the Court accept Defendant’s guilty plea and conditionally accept the plea agreement. He further recommended that the Court finally adjudge Defendant as guilty on **Count 1** of the **Second Superseding Indictment** filed against Defendant in this cause.

The parties have not objected to the magistrate’s findings. The Court is of the opinion that the *Findings of Fact and Recommendation on Guilty Plea* should be accepted. It is, therefore,

**ORDERED** that the *Findings of Fact and Recommendation on Guilty Plea* [Clerk's doc. #588] of the United States Magistrate Judge are **ADOPTED**. The plea agreement is conditionally accepted by the Court at this time. It is further **ORDERED** that, in accordance with Defendant's guilty plea and the magistrate judge's findings and recommendation, Defendant, Noel Garza, is hereby adjudged as guilty on **Count 1** of the charging **Second Superseding Indictment** charging violations of Title 21, United States Code, Section 846.

**SIGNED** this the 6 day of **January, 2009**.

  
Thad Heartfield  
United States District Judge